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Notice of Allowability

Application No.

09/942,803

Examiner

Ronald Laneau

Applicant(s)

MCQUADE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/03/05.
2. ☒ The allowed claim(s) is/are 1-3,5-8,10-20 now renumbered as 1-18.
3. ☒ The drawings filed on 30 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. Claims 1-3, 5-8 and 10-20 are allowed now renumbered as 1-18.
2. The following is an examiner's statement of reasons for allowance:

None of the references, either singularly or in combination, teaches or even suggests the totality of combined elements as claimed:

A method for tracking and controlling the distribution of controlled articles from a central inventory of a pharmaceutical company, a portion of the central inventory having been conveyed to at least one remote distributing representative of the pharmaceutical company for further distribution to distributees, the tracking and controlling being conducted in real time by means of electronic communication and data collection comprising:

preauthorizing a specific distribution transaction to be conducted by the distributing representative by sending a distribution request from the distributing representative for distribution of a packet of articles to a distributee, to a system server and receiving the distribution request in the system server, the request comprising a representative identifier, a distributee identifier, and a statement describing the contents of the packet of articles being distributed from the portion of the central inventory conveyed to the distributing representative;

upon successful completion of the preceding steps, transmitting an authorization code to the distributing representative indicating to the distributing representative an authorization to conduct the specific distribution transaction, the authorization code serving as recordable proof of authorization to conduct the specific distribution transaction;

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maintaining a local inventory corresponding to the portion of central inventory remaining in the distributing representative possession by decrementing the packet's contents from the local inventory and decrementing the packet's contents from the central inventory.

The closest prior arts, Cunningham (US 5,832,449) discloses a method and system for dispensing, tracking and managing pharmaceutical product samples by communicatively linking prescribers and pharmacies to a central computing station, Michael et al (US 2003/0088442 A1) discloses a method of managing a main inventory of item across a distributed mobile work force wherein each worker has a mobile computing device which includes a full complement of inventory management function, either singularly or in combination, fails to anticipate or render obvious the above limitations.

The closest prior art, Adams William (CA 2 359 502) discloses a an improved system and method of pharmaceutical drug samples distribution that replaces actual samples provided to physician for re-distribution to patients, either singularly or in combination, fails to anticipate or render obvious the above limitations.

The closest prior art, NPL: IMS Health Strategic Technologies Launches SampleTrak, the First Web-Based Solution for Managing prescription Drug Sampling, April 19, 2000, pg. 1, discloses a drug management solution enabling home office and field-based personnel to fully comply with drug sampling regulations and to increase selling productivity, either singularly or in combination, fails to anticipate or render obvious the above limitations.

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3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RL

Ronald Laneau
Examiner
Art Unit 3627

Ronald Laneau 3/31/05
Primary Examiner

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